



SECRETARY OF STATE STATE OF INDIANA

Todd Rokita
Secretary of State

April 12, 2006

Murray Clark
Indiana Republican Party Chairman
47 South Meridian Street, 2nd Floor
Indianapolis, Indiana 46204

Dan Parker
Indiana Democratic Party Chairman
One North Capitol, Suite 200
Indianapolis, Indiana 46204

Dear Chairmen:

Thanks to the work of a host of individuals over the last three years following the enactment of the Help America Vote Act of 2002 (HAVA), we now have a statewide voter registration system that promises to revolutionize election management and administration in Indiana. I would begin by acknowledging and thanking both state parties for the significant and ongoing contributions made to this project. Former Chairman Robin Winston represented the Democratic Party as a member of the "Vote Indiana Team" (which developed the Plan to implement HAVA), and he was a strong contributing member of the statewide voter registration system's Steering Committee. The same can be said for Zach Main and Andy Hahn who have been as equally involved representing the Republican Party on these task forces.

The new system links all 92 county voter registration offices to a single, uniform and centralized database maintained by the state. The system interfaces with the Department of Correction, the Department of Health, and the Bureau of Motor Vehicles so that information used for voter list maintenance, which was formerly sent by these agencies on a monthly or quarterly basis is now being sent to county voter registration offices within 48 hours after the agency receives the information. In short, the new system is a tool that will permit county voter registration officials to provide a far more accurate voter roll for use in Indiana elections.

However, counties cannot do this work alone. Federal law (the National Voter Registration Act of 1993 [NVRA]) requires that the State designate an NVRA officer to ensure that voter list maintenance is conducted on a regular, timely, and uniform basis. Under Indiana law, the Co-Directors of the Indiana Election Division jointly serve as the NVRA officer. As you know, each Co-Director is nominated by the appropriate State Chairman to serve in that office upon appointment by the Governor, and must act jointly under state law for the Election Division to take any official action.

We now stand at a unique point in our state's history. We have the tools and the funding, available through HAVA, to conduct a comprehensive statewide voter registration maintenance program. Voter list maintenance can now move beyond the limited scope performed by the Election Division in previous years through the "Duplicate Voter Registration Elimination Project" to identify other voters whose registration address is now inaccurate. For example, the name of a voter who moved to another address, but did not re-register or who moved out of Indiana entirely would never have appeared on any list of potentially duplicate voter registrations prepared since 1995. As a result, I believe that the large number of Indiana counties who have more than 100% of their voting age population listed as registered voters points out the critical need for a comprehensive state level voter list maintenance program.

I propose that the NVRA Officers act under current state law, and in accordance with NVRA, to conduct a residency confirmation and outreach procedure (Indiana Code 3-7-38.2-16). Under this procedure, a voter education and outreach mailing would be sent to every voter in Indiana. The Election Division would then send a confirmation notice to any voter whose initial mailing is returned by the United States Postal Service as the result of an inaccurate or outdated address.

In addition to their voter list maintenance responsibilities as the state's NVRA officials, the Co-Directors of the Indiana Election Division are also required by Indiana law to jointly consent to the expenditure of HAVA funds for voter list maintenance or other purposes. I write today to urge that you and your party's Co-Director recognize both the value and necessity of conducting a comprehensive voter registration list mailing by consenting to the expenditure of HAVA funds for this purpose. Conducting this program will both ensure that Indiana fully complies with NVRA's requirements, and begin the ongoing process of state monitoring and oversight of county voter registration list maintenance.

Federal law requires that county voter registration officials complete their NVRA voter list maintenance work by making any changes to their lists based on this information no later than 90 days before an election. As a result, this deadline falls on August 9, 2006 for any voter list maintenance program conducted this year.

If we are unable to conduct a state level voter list maintenance program in time to permit county voter registration officers to act on this information by the August 9th deadline, the ability to fully clean up Indiana's voter registration rolls would be delayed another two years. Any voter whose registration address is identified by the United States Postal Service as currently incorrect, and who does not respond to the follow-up notice, or vote at that registration address during the 2006, 2007, or 2008 elections would remain on the registration rolls until December 2008. If that voter did not vote by the 2008 General Election, he would then be removed entirely. However, if no timely voter list maintenance program is conducted and completed in 2006, then these inaccurate or outdated registrations will remain on the rolls until after the November 2010 election, at the earliest. That would further waste taxpayers' money and continue to contribute to the potential for election fraud.

The county voter registration officials will need adequate time to process any registration information that comes from such a comprehensive mailing. As a practical matter, we must begin preparing for these mailings immediately by reserving mailing equipment and

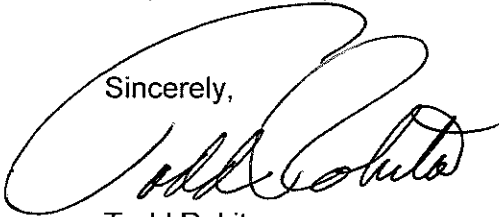
services so that 4.3 million Hoosier voters can receive this educational and outreach mailing in time for the voter list maintenance program to be completed in accordance with federal law.

As a result, I ask that you communicate your support concerning this matter to the Co-Director affiliated with your party no later than Wednesday, April 18th as this would allow the Co-Directors the time necessary to make arrangements for this educational and outreach mailing to be sent out to the voters beginning on or about May 9th and would be able to finish the project by August 9, 2006.

Together, we can leverage the new Statewide Voter Registration System, and available federal funds, to achieve what has never before been possible in Indiana. Both political parties stand to gain from more accurate voter registration lists, and for more secure and fair elections that would result from fulfilling our State's voter list maintenance responsibilities under federal and state law.

I thank you for your consideration, and encourage your support in improving our electoral process to which we all owe a great debt. Please do not hesitate to contact me, at 232-6536, if I can be of further assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Rokita', written over a large, loopy flourish that starts under the word 'Sincerely,'.

Todd Rokita
Indiana Secretary of State

Cc:

J. Bradley King, Co-Director, Indiana Election Division
Kristi Robertson, Co-Director, Indiana Election Division
Mr. John Tanner, U.S. Department of Justice, Civil Rights Division, Voting Section
Mr. Eric Eversole, U.S. Department of Justice, Civil Rights Division, Voting Section